

THE STATE OF OHIO, APPELLEE, v. TOWE, APPELLANT.

[Cite as *State v. Towe* (1998), \_\_\_ Ohio St.3d \_\_\_.]

*Criminal procedure — Classification as sexual predator — Court of appeals’ judgment affirmed on authority of State v. Cook — APPEAL dismissed as improvidently allowed on Propositions of Law Nos. III, IV, and V.*

(Nos. 98-604 and 98-606 — Submitted October 13, 1998 — Decided November 25, 1998.)

APPEAL from and CERTIFIED by the Court of Appeals for Hamilton County, No. C-970283.

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*Joseph T. Deters*, Hamilton County Prosecuting Attorney, and *Sherry Green*, Assistant Prosecuting Attorney, for appellee.

*Schuh & Goldberg* and *J. Robert Andrews*, for appellant.

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The judgment of the court of appeals on Propositions of Law Nos. I and II is affirmed on the authority of *State v. Cook* (1998), 83 Ohio St.3d 404, 700 N.E.2d 570.

Propositions of Law Nos. III, IV, and V are dismissed as having been improvidently allowed.

DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and LUNDBERG STRATTON, JJ., concur.

MOYER, C.J., and COOK, J., concur in part and dissent in part.

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**Cook, J., concurring in part and dissenting in part.** I dissent from the dismissal of Propositions of Law Nos. III, IV, and V.

MOYER, C.J., concurs in the foregoing opinion.